

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.202(b),)	
FM Table of Allotments,)	MB Docket No. 04-162
FM Broadcast Stations.)	RM-10959
(Quanah and Iowa Park, Texas))	

**REPORT AND ORDER
(Proceeding Terminated)**

**Adopted: February 28, 2007
2007**

Released: March 2,

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a letter submitted by Fred R. Morton, on behalf of KIXC-FM, L.L.C. ("KIXC"), on January 23, 2007. Previously, the Audio Division had released in this proceeding a Notice of Proposed Rule Making ("Notice"), in response to a petition for rule making filed on behalf of KIXC, licensee of Station KIXC-FM (now KWFB-FM), Channel 265C2, Quanah, Texas.¹ The Notice proposes the downgrade of Quanah, Channel 265C2 allotment to Channel 265C3, the reallocation of Channel 265C3 to Iowa Park, Texas, and the modification of the license of Station KIXC-FM accordingly. In its petition and subsequent comments submitted in this proceeding, KIXC stated its willingness and intention to implement the proposed changes.

2. In its letter, KIXC now states its intention to withdraw the pending petition for rulemaking. KIXC further states that no consideration has been paid or promised, directly or indirectly, for such withdrawal. *See* 47 C.F.R. § 1.420(j). That representation is supported by a certification executed by Fred R. Morton, Member, KIXC-FM, L.L.C.

3. It is the Commission's policy to refrain from making an allotment to a community absent an adequate expression of interest. By submitting a letter stating its intention to withdraw its petition for rule making, KIXC has demonstrated that it has no continuing interest in the requested allotment changes.

4. Accordingly, IT IS ORDERED, That the petition for rule making filed by KIXC-FM, L.L.C., proposing the downgrade of Channel 265C2 to Channel 265C3 and the reallocation of Channel 265C3 from Quanah to Iowa Park, Texas, IS DISMISSED.

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

6. This document is not subject to the Congressional Review Act. The Commission, is, therefore, not required to submit a copy of this Report and Order to the Government Accountability Office, pursuant

¹ *Quanah and Iowa Park, Texas*, Notice of Proposed Rule Making, 19 FCC Rcd 7149 (MB 2004).

to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A), because the proposed rule was dismissed.

7. For further information concerning this proceeding, contact Deborah Dupont, Media Bureau, (202) 418-7072.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
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Audio Division
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